

R E M A R K S

Claims 1-12 and 14-31 are pending in the application. Claim 1 has been amended. Claims 32-58 are withdrawn. No new matter has been added by this amendment.

Applicant respectfully submits that the present application is now in condition for allowance. Accordingly, reconsideration and allowance of the present application are respectfully requested.

Claim Amendments

Independent claim 1 has been amended.

Support for the amendment to independent claim 1 is found, for example, at one or more portions of page 8, lines 25-31, page 12, lines 19-23 and claim 16, lines 1-2.

No new matter has been added.

Claim Rejections – 35 USC §103(a)

The Office Action states that claims 1-31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over powerbuyerservice.com in view of US Patent Application Publication No. 20010037205 (Joao).

Applicant notes that the Office Action refers to powerbuyerservice.com. Applicants assume that the Office Action is referring to subject matter disclosed in the PowerBuyer Service Benefits document (1 page), the PowerBuyer Service Brochure (6 pages) and portions of Applicant's background relating to powerbuyerservice.com.

Reconsideration and withdrawal of the rejections are respectfully requested.

Claim 1

Independent claim 1 recites a method for facilitating multiparty communication regarding leads, comprising: receiving initial information regarding a customer lead from a first party, wherein the initial information identifies a service and the first party is a referral source other than said customer; after receiving the initial information, identifying a second party that can provide the service and to which to provide at least a portion of the initial information; providing at least a portion of said initial information to said second party; receiving updated information regarding said customer lead from said second party; and determining compensation owed by said second party based, at least in part, on said updated information; and wherein the updated information includes at least one of the following: a postal address for the customer; and a telephone number for the customer.

Neither powerbuyerservice.com (i.e., the PowerBuyer Service Benefits document, the PowerBuyer Service Brochure and Applicant's background) nor Joao nor any combination thereof proposed in the Office Action teaches or suggests the method recited in claim 1.

At the very least, powerbuyerservice.com does not teach or suggest a method that includes the combination of receiving initial information regarding a customer lead from a first party, wherein the initial information identifies a service and the first party is a referral source other than said customer; and after receiving the initial information, identifying a second party that can provide the service and to which to provide at least a portion of the initial information.

For example, Applicant's application states that the Web site provided at www.powerbuyerservice.com allows **a customer** to select one or more service providers that the customer is interested in learning about and then informs the relevant service providers of the customer's interest (page 1, lines 20-23). However, such statement cannot possibly teach or suggest receiving initial information regarding a customer lead from a first party, wherein the initial information identifies a service and the first party is a referral source **other than said customer**. Indeed, the statement in Applicant's application teaches away from doing so. In addition, because powerbuyerservice.com does not teach or suggest receiving the recited initial information from a first party other than said customer, powerbuyerservice.com cannot teach or suggest a method that includes after receiving the initial information, identifying a second party that can provide the service and to which to provide at least a portion of the initial information.

Nor does powerbuyerservice.com teach or suggest a method that includes the combination of receiving updated information regarding said customer lead from said second party; and determining compensation owed by said second party based, at least in part, on said updated information. For example, Applicant's application states that the Web site has limited, if any, ability to track use of the information by the service providers (page 1, lines 23-24). However, such statement does not appear to teach or suggest receiving updated information regarding said customer lead from said second party. Nor do the PowerBuyer Service Benefits document (1 page) or the PowerBuyer Service Brochure (6 pages). Moreover, the Office Action admits that powerbuyerservice.com does not teach or suggest determining compensation owed by said second party based, at least in part, on said updated information (Office Action, page 3).

Still further, powerbuyerservice.com does not teach or suggest that the updated information includes at least one of the following: a postal address for the customer; and a telephone number for the customer.

As with powerbuyerservice.com, Joao does not teach or suggest a method that includes the combination of receiving initial information regarding a customer lead from a first party, wherein the initial information identifies a service and the first party is a referral source other than said customer; and after receiving the initial information, identifying a second party that can provide the service and to which to provide at least a portion of the initial information, as recited in claim 1.

For example, the Office Action admits that Joao does not disclose after receiving the initial information, identifying a second party that can provide the service and to which to provide at least a portion of the initial information (Office Action, page 6, lines 15-17).

Moreover, as with powerbuyerservice.com, Joao does not teach or suggest a method that includes receiving updated information regarding said customer lead from said second party; wherein the updated information includes at least one of the following: a postal address for the customer; and a telephone number for the customer.

The Office Action states that it would have been obvious to one of ordinary skill in the art at the time of the invention to implement Joao's referral and commission tracking system so that

the referral service provider of Powerbuyerservice can be paid for the service of referring customers, a[s] taught by Joao, citing paragraph 0073.

However, Applicant respectfully points out that even if powerbuyerservice.com is modified to include the cited portion of Joao (i.e., paragraph 0073), the proposed combination still does not teach or suggest the method recited in claim 1.

As stated above, neither powerbuyerservice.com nor Joao teaches or suggests a method that includes the combination of receiving initial information regarding a customer lead from a first party, wherein the initial information identifies a service and the first party is a referral source other than said customer; and after receiving the initial information, identifying a second party that can provide the service and to which to provide at least a portion of the initial information. In addition, and as is also stated above, neither powerbuyerservice.com nor Joao teach or suggest that the updated information includes at least one of the following: a postal address for the customer; and a telephone number for the customer.

The Office Action states that Applicant's background discloses companies using telemarketers, call centers, marketing agents etc. to generate leads for the company (Office Action, page 3, lines 3-13). The Office Action further states that the Examiner is also aware that it is well known for companies to sell user information to other companies. The Office Action goes on to state that, therefore, it would have been obvious to one of ordinary skill in the art to receive customer information from a referral source, since companies have been providing or selling customer information to third party so other vendors could use the information for marking purposes (Office Action, page 3).

Applicant notes the cited portion of Applicant's application, which states that a company may use telemarketers, call centers, marketing agents etc. to generate leads for the company. Applicants also note that some companies sell user information to other companies.

However, Applicant disagrees that the above teach or suggest receiving initial information regarding a customer lead from a first party, wherein the initial information identifies a service and the first party is a referral source other than said customer; after receiving the initial information, identifying a second party that can provide the service and to which to

provide at least a portion of the initial information, as recited in claim 1. Indeed, the statement in Applicant's application teaches away from doing so. Simply put, if a company uses telemarketers, call centers, marketing agents etc. **to generate leads for the company**, then the party that can provide the service is determined **before** a lead is received. Thus, Applicant's application cannot possibly teach or suggest receiving initial information regarding a customer lead from a first party, wherein the initial information identifies a service and the first party is a referral source other than said customer; **after receiving** the initial information, identifying a second party that can provide the service and to which to provide at least a portion of the initial information. The fact that some companies sell user information to other companies does not change this point.

Moreover, and as is also stated above, neither powerbuyerservice.com nor Joao teach or suggest that the updated information includes at least one of the following: a postal address for the customer; and a telephone number for the customer.

For at least the reasons above, Applicant respectfully submits that neither powerbuyerservice.com nor Joao nor any combination thereof proposed in the Office Action teaches or suggests a method for facilitating multiparty communication regarding leads, comprising: receiving initial information regarding a customer lead from a first party, wherein the initial information identifies a service and the first party is a referral source other than said customer; after receiving the initial information, identifying a second party that can provide the service and to which to provide at least a portion of the initial information; providing at least a portion of said initial information to said second party; receiving updated information regarding said customer lead from said second party; and determining compensation owed by said second party based, at least in part, on said updated information; and wherein the updated information includes at least one of the following: a postal address for the customer; and a telephone number for the customer, as recited in claim 1.

Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

Dependent claims

Claims 2-12 and 14-31 depend from independent claim 1 and therefore should be allowed for at least the reasons set forth above with respect to independent claim 1.

C O N C L U S I O N

For at least the reasons set forth above, Applicant respectfully submits that the present application is in condition for allowance. Accordingly, reconsideration and allowance of the present application are respectfully requested.

Because the reasons set forth above are sufficient to overcome the rejections set forth in the outstanding Office Action, Applicant does not address some of the assertions set forth therein and/or other possible reasons for overcoming the rejections. Nonetheless, Applicant reserves the right to address such assertions and/or to present other possible reasons for overcoming the rejections in any future paper and/or proceeding.

If the Examiner believes that a telephone interview would expedite the prosecution of this application in any way, the Examiner is cordially requested to contact the undersigned via telephone at (203) 972-0006, ext. 1014.

Respectfully submitted,

October 24, 2007

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